


COMMONWEALTH OF VIRGINIA
Department of Environmental Quality

Subject: Revision No. 2 to Civil Enforcement Manual – Chapter 2A
Attachments to Chapter 2 - General Enforcement Procedures

To: Regional Enforcement Managers and Specialists, Regional Compliance Auditors,
Central Office Enforcement Managers (electronic distribution)

From: Melanie D. Davenport, Director 
Division of Enforcement

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Summary:

This guidance updates Chapter 2 of the DEQ Civil Enforcement Manual and supersedes the attachments to various guidance documents identified in footnote number 1 of the text of Chapter 2. The attachments to Chapter 2 are collected separately in Chapter 2A to make revision easier.

Electronic Copy:

An electronic copy of this guidance is available on the Department's website at:
<http://www.deq.virginia.gov/enforcement/manual.html>.

Contact Information:

Please contact John E. Ely, Esq. at (804)698-4249 or John.Ely@deq.virginia.gov with any questions regarding the application of this guidance.

Disclaimer:

Guidance documents set forth presumptive operating procedures. They do not establish or affect legal rights or obligations, do not establish a binding norm, and are not determinative of the issues addressed. Decisions in individual cases will be made by applying the laws, regulations, and policies of the Commonwealth to case-specific facts. See Va. Code [§ 2.2-4001](#).

Chapter 2A –Attachments to Chapter 2

For ease of revision, Chapter 2A contains the attachments to Chapter 2 of the DEQ Civil Enforcement Manual. The attachments are listed and linked below.

I. Informing RPs of Alleged Violations

- [2-1 Acknowledgement of RTC for Informal Correction](#)
- [2-2A Model Warning Letter – UST](#)
- [2-2B Model Warning Letter – Oil Discharge](#)
- [2-2C Model Warning Letter– Solid Waste](#)
- [2-2D Warning Letter Standard Paragraphs](#)
- [2-3 Acknowledgment of RTC – Warning Letter](#)
- [2-4A Model NOV – Air Data](#)
- [2-4B Model NOV – Solid Waste](#)
- [2-4C Model NOV – Water DMR](#)
- [2-4D Model NOV – Oil Discharge](#)
- [2-4E NOV Standard Paragraphs](#)
- 2-5 [Reserved]
- [2-6 No Response to NOV – Decline to Negotiate](#)
- [2-7 NOV Rescission Letter](#)
- [2-8 PEDR Response](#)

II. Enforcement Referrals and Plans

- [2-9 Model Referral for Enforcement Action](#)
- [2-10 SEP Analysis Addendum](#)
- [2-11A Standard Enforcement Recommendation and Plan \(ERP\)](#)
- [2-11B Table ERP](#)
- [2-12 ERP Addendum](#)

III. Enf. Tools by Consent

- [2-13 Model Letter of Agreement](#)
- [2-14 Letter Terminating LOA](#)
- [2-15A Model Consent Order – Air](#)
- [2-15B Model Consent Order – VPDES](#)
- [2-15C Model Consent Order – VPDES Stormwater](#)
- [2-15D Model Consent Order – VWP](#)
- [2-15E Model Consent Order – VPA](#)
- [2-15F Model Consent Order – VPA General Permit](#)
- [2-15G Model Consent Order – UST](#)
- [2-15H Model Consent Order – Oil Discharge and AST](#)

[2-15I Model Consent Order – Hazardous Waste](#)

[2-15J Model Consent Order – Solid Waste](#)

[2-15K Model Consent Order – Ground Water Management](#)

[2-16 Formatting Tips for Model Orders](#)

[2-17 Enforcement Referral to Central Office](#)

[2-18 Transmittal Letter for Draft CO](#)

[2-19 Transmittal Letter for RP Signature](#)

[2-20 Consent Order Public Notice Template](#)

[2-21 Letter to *Virginia Register* for Water Consent Order](#)

[2-22 Letter to Local Government for Water Consent Order](#)

[2-23 Comment Response Document Template](#)

[2-24 SWCB Agenda Item Template](#)

[2-25 Transmittal Letter for Executed Consent Order](#)

[2-26 Model Amended Consent Order](#)

[2-27 Model Letter Terminating Consent Order \(Immediate Termination\)](#)

[2-28 Model Letter Terminating Consent Order \(30 Days' Notice\)](#)

[2-29 Model Executive Compliance Agreement \(ECA\)](#)

[2-30 DE Review Checklist](#)

IV. Enforcement Tools without Consent

[2-31 Request for APA Adversarial Action](#)

[2-32 Model Emergency Order](#)

2-33 [Reserved]

V. UST and SSO

[2-34 Administrative Orders to Prevent or Minimize Sanitary Sewer Overflows](#)

VI. Monitoring Compliance with Orders and Agreements

[None]

VII. Case Closure

[2-35 Case Closure Memorandum](#)